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7 HASTINGS COLLEGE OF THE LAW, et  
al.,  
8 Plaintiffs,  
9 v.  
10 CITY AND COUNTY OF SAN  
FRANCISCO,  
11 Defendant.  
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Case No. 20-cv-03033-JST

**ORDER DENYING MOTION TO  
RELATE WITHOUT PREJUDICE**

Re: ECF No. 81

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14 Now before the Court is Defendant City and County of San Francisco's Administrative  
15 Motion to Consider Whether Cases Should Be Related Pursuant to Civil Local Rule 3-12. ECF  
16 No. 81. The motion seeks to relate two other cases to this one: *Daniel Giosso, James Giosso, and*  
17 *Richard Giosso, Trustees of the Giosso Children's Trust; Mike O'Neill and Sons, a California*  
18 *General Partnership*, 3:20-cv-04255-TSH ("Giosso"), filed on June 26, 2020; and *Erin Maher,*  
19 *Jason Reindorp, Nick Medina, Monica Calmer, South of Market Business Association, 570 Jessie*  
20 *LLC, Sierrec LLC dba Montesacro Pinserie Romana, Megali Souvla Inc, dbd Souvla, Design like*  
21 *Whoa LLC v. City and County of San Francisco*, 4:20-cv-04771-KAW ("Maher"), filed on July  
22 16, 2020.

23 Civil Local Rule 3-12(b) provides that a party filing a motion to relate must serve a copy of  
24 the motion "on all known parties to each apparently related action." Civ. L.R. 3-12(b). The  
25 docket does not show that Defendant City and County of San Francisco complied with this  
26 requirement. The City has not filed a certificate of service, and although the declaration of Deputy  
27 City Attorney Ryan Stevens states that he spoke to counsel for plaintiffs in the two potentially  
28 related actions regarding potential relation, it does not state that he served a copy of the City's

1 motion upon them. *See* ECF No. 81-1 ¶¶ 5-6.

2 Accordingly, the motion is denied is denied without prejudice.

3 **IT IS SO ORDERED.**

4 Dated: August 5, 2020

  
5 JON S. TIGAR  
6 United States District Judge

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United States District Court  
Northern District of California